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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER
WASYLCHAK, STEVEN R

ART UNIT	PAPER NUMBER
3624	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/213,138	LOPEZ ET AL.
	Examiner	Art Unit
	Steven R. Wasylchak	3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>Sept. 16, 20043</u> .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). <u>2/5/2005</u> .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

Response to Remarks

1.   This office action is in response to Remarks received Sept 16, 2004.

2.   Claims 1-16 are original pending claims; claims 17-15 were added; prior rejections are

maintained.

3.   Examiner requests a telephone interview upon receipt of the office action. It appears that the

strong programming aspects should be clarified and differentiated from the business method aspects

of the application.

Response to Arguments:

Applicant argues Claim 1 is allowable over Dworkin, alone or in combination with Gregory and Official

Notice essentially because of the lack of third data representing an association between said product

and said competing product (p. 12).

Examiner states that a competing product exists due to price comparison for the lowest price (see

claim 1 "price association'). The database is fig 1 and 2B.

Applicant essentially argues that the cited references do not disclose the dynamic page file of claim

1(p.14)

Examiner states that such file is revealed in the display of menu of product types; different prices

represent a competing product (col 2, L 6-56).

Applicant argues in substance that the cited references do not disclose a query parameter (p. 15).

Examiner states that such query parameter is found in investigating product and price comparison,

which teaches product competition.

Applicant argues that motivation is not suggested by the references used (p.16).

Examiner states that at least inventory control of products for sale is motivation to combine the references.

Applicant argues hindsight was used. (p. 16).

Examiner states that Applicant has the burden to prove hindsight: the he knew what was going through the Examiner's mind when analyzing the case.

Applicant claims the cited references lack a product hyperlink (p.18).

Examiner responds that to compare prices on different pages inherently requires hyperlinks.

Applicant argues that the references do not disclose a page file identifier representing a corresponding product page file (p. 18).

Examiner responds that such association is inherent to distinguish pages within a file in order to access the pages.

Applicant argues the hyperlink omission. (p. 19)

Examiner responds that it is obviously inherent to HTML programming underlying the web page.

Applicant argues Dworkin lacks content identification tags (p. 20).

Examiner responds that it is obviously inherent to HTML programming underlying the web page.

Applicant argues connection instructions are include in script components that are included in a dynamic page file (p. 21).

Examiner responds that it is obviously inherent to HTML programming underlying the web page.

Applicant argues hyperlink referencing a corresponding product page (p.21).

Examiner responds that this is inherent in the HTML programming underlying the web page.

Applicant claims the omission of query instructions to obtain a record of competing products (p. 21).

Examiner responds by searching for the lowest price represents competition as per references cited in claim 11.

Applicant claims Dworkin does not suggest responsiveness to an identification of a product to request

information about a corresponding product (p. 23).

Examiner responds by stating that lowest price represents a request or query about a corresponding

product (its price for comparison).

Applicant claims Dworkin fails to teach a association between said product and said competing

product (p.24).

Examiner states that price is the association.

Applicant claims Gregory fails to disclose a dynamic page file including instructions to use said

second data as a query parameter to obtain said first data from said product data base included in

the store page (p. 26).

Examiner states that the underlying HTML programming discloses the above feature.

Applicant argues in essence that a competitor product hyperlink is not suggested (p. 27).

Examiner states that the underlying HTML programming suggests the above feature.

Applicant argues against official notice to implement product page file subject matter (p. 28).

Examiner states that at least credit terms or warranties is sufficient to establish obviousness.

Applicant argues against the suggestion of a product page file (p.28).

Examiner states that a product page file is suggested in the underlying HTML programming

describing the products.

Applicant argues displaying the competitor product identification information on a computer screen

(p. 29).

Examiner states the SKU number is taught by Gregory and displayed.

Applicant argues that Dworkin does not suggest that a second product corresponds to and

competes with the first product the computer hyperlink (p. 29).

Examiner states that lowest price represents a request or query about a corresponding product (its

price for comparison).

Applicant argues the lack of product identifier identifying a second product that competes with the

first product.

Examiner responds that Gregory utilizes the SKU number to identify products (p.30).

Applicant challenges the use of obviousness (p.30).

Examiner responds by stating in would have been obvious to do so to maintain warranty or option

information.

Applicant argues that no teaching of responding to the selection by issuing a request for the product

page file where the product page file included information that describes a second product that

corresponds to and competes with the first product (p. 31).

Examiner responds that by seeking the least price, competition exists.

Applicant argues that Dworkin does not suggest that a browser transmits cost information to a page

server (p.33).

Examiner has used official notice and adds that banners are advertising forms to show cost savings.

Applicant argues that Dworkin does not teach second instructions in a dynamic range file for

comparing said competing cost information and said product cost information.

Examiner states that as in price comparison for obtaining the least price as disclosed by Dworkin (see

claim 1); it would have been obvious to do a cost saving analysis either mentally or on the screen.

Applicant argues the lack of said hyperlink (p 34).

Examiner refers to citations under claim 6

Applicant argues that the manufacturer hyperlink in not obvious (p 35).

Examiner states that a manufacturer hyperlink is necessary to obtain warranty or repair information.

Applicant argues that the references do not disclose a cost savings hyperlink (p. 36).

Examiner states that obvious cost saving hyperlinks are easier to use than customer's having to

mentally calculate such numbers.

Applicant argues that the references do not disclose a cost savings form (p. 36)

Examiner rebuts that such a form is an obvious convenience factor as opposed to doing it mentally.

Applicant states that Dworkin does not disclose a second set of products and such products were to

meet a set of specifications (p. 37).

Examiner states that price comparison suggests a second product; "meeting a set of specifications"

and product equivalency of the applicant mean the same thing.

Applicant argues essentially the lack of a competing product (p.38).

Examiner states that least price selection establishes a competing product.

Applicant argues that the computer readable medium is not obvious and lacks motivation.

Examiner states that the computer readable medium is found in the Microsoft Dictionary, p 301 and

has the advantage of portability.

Applicant argues that a list of suppliers of a certain product is different than a list of products that

correspond to and compete with a certain product (p. 40).

Examiner responds by stating that least price requirements of Dworkin establishes product

competition.

The remainder of the arguments have been addressed above.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1, 7,11,14,15, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable

Dworkin (US 4,992,940) and in view of Gregory (US 6,490,567).

Claim 1,

A system for browsing products using competitor information, the system comprising:

-a product database including first data representing a product, including

second data representing a competing product, and including third data

representing an association between said product and said competing product,

said product database stored on a computer readable medium; / abstract; fig's 1(3:**database**),

2B:53,55 (view supplier), 3(**competitor and manufacturer: 1.,2.,7.**), 6(**competitor product, price**

association), 7 (suppliers, Computer Discount Co. "we will best any price!"; col 1, L 23-28, 53-57; col

2, L 49-56: price competition

-Dworkin teaches a generating an electronic store page, said dynamic page file

including instructions to use said second data as to obtain said first

data from said product database, said first data included in said electronic store page,

said dynamic page file stored on said computer readable medium; and / fig 1: database; fig 2A

(23,25,27,29,35,37,39,40,51); fig 6 (1): **investigate product implies a query possibility**; fig 2B (47:

product,51: product); col 5, L 43-50(**screen display as a questionnaire**); col 2, L 49-56(price of

competing product); col 7, L 10-65; col 8, L 9-20.

However, Dworkin does not explicitly teach a query parameter. However, Gregory teaches a query

parameter(**col 8, L 3-18; col 9, L 55-67**). It would have been obvious to one of ordinary skill in the art

at the time of applicant's invention to implement this feature of a query parameter for the advantage of

determining minimum cost or product options or sizes or warranties.

-a product information server responsive to a customer request for said electronic store page to

access said dynamic page file, to process said instructions and to provide said electronic store page

to said customer, said product information server running on a computer operably connected to said

computer readable medium. / fig 2A,2B,3,4,5,6,7(suppliers); col 1, L 52-60; col 1, L 65 to col 2, L 6;

col 2, L 6-19; col 3, L 20-44; col 8, L 9-20

Dworkin does not explicitly teach a dynamic page file.

Official notice is taken that a dynamic page file is old and well known in the e-commerce art and / or

software art (**PC TOOLS: Notepad on p.15**). It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this feature of a dynamic page

file for the advantage of compatibility with web servers and editing software.

Claim 7,

A method for locating information about a product using information about a corresponding product,

said method comprising the steps of:

-Dworkin teaches transmitting with a page server at least one corresponding product hyperlink to a

customer browser, said at least one corresponding product hyperlink operatively associated with a

corresponding product identifier representing a corresponding product/ fig 1,2A,3,4,6; col 2, L 19-42.

However, Dworkin does not explicitly teach the operative association with a page file identifier

representing a corresponding product page file. Gregory teaches the operative association with a

page file identifier representing a corresponding product page file/ col 3,L 41-44, 65 to col 4, L 9

(merchant content abstract as product page file); col 5, L 3-21(product abstract). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature

of the operative association with a page file identifier representing a corresponding product page file

for the advantage of product comparison.

-receiving with said customer browser said corresponding product hyperlink; / fig 2A (29), 2B (42, 47,

51),6,8

Claim 11,

An e-store dynamic page file comprising:

-static content including content identification tags which may be interpreted to format said

content; / col 2, L 19-36; col 7, L 37-53; fig 3

script components including:

-connection instructions to establish a connection to a product database; / abstract (programming the

connection instructions); col 2, L 19-36; col 7, L 37-53

-Dworkin teaches a search key provided to said query instructions as a parameter, and to thereby

obtain a record set including at least one record, each of said at least one records including

information about competing products; and / fig 2A(23-37), 2B(41-55),8; fig 2A

(23,25,27,29,35,37,40); fig 6 (1): **investigate product implies a query possibility**; col 5, L 43-

50(**screen display implies a questionnaire**); col 7, L 10-65; col 8, L 9-20; fig 6, 8; col 1, L 13-28;

col 8, L 9-20. However, Dworkin does not explicitly teach query instructions to query said product

database. Gregory teaches query instructions to query said product database (**col 8, L 3-18; col 9,

L 55-67**). It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to implement this feature a query instructions to query product databases for the advantage

of determining minimum cost or product options or sizes or warranties and if item is in inventory.

-hyperlink creation instructions to create a hyperlink for each of said at least one records, each

hyperlink referencing a corresponding product page file for transmitting information about a

corresponding product, each hyperlink including an identifier representing a corresponding product. /

abstract(programmed computer includes the hyperlink creation instructions or split screening); fig

2A(23-37), 2B(41-55),6,7,8; col 2, L 19-25, L 49 to col 3, L 5

Claim 14,

A system for locating information about products, said system comprising:

-associating means for storing an association between a product and a corresponding

product; / abstract; fig 6,8; col 2, L 19-25, L 49 to col 3, L 5

-requesting means responsive to an identification of said product to request information

about said corresponding product; / abstract ; col 2, L 6-24

- Dworkin teaches using said identification of said product to access said associating

means and to thereby obtain said information about said corresponding product; / abstract; fig 2A(23-

37), 2B(41-55),6,8; col 2, L 25-41. Dworkin does not explicitly teach query means. However,

Gregory teaches a query parameter(**col 8, L 3-18; col 9, L 55-67**). It would have been obvious to

one of ordinary skill in the art at the time of applicant's invention to implement this feature a query

parameter for the advantage of determining minimum cost or product options or sizes or warranties.

-information assembly means responsive to said request to invoke said query means

and to format said information about said corresponding product; and / refer to reasoning under claim

11

-transmitting means for presenting to a customer said formatted

information about said corresponding product. / abstract; fig 1,6(model, low price, avg. price, list

price), 7(supplier, price, quantity)8; col 2, L 16-33, 49-56

Claim 15,

 A product browsing system comprising:

-a server computer having a network connection; / abstract; fig 1; col 1, L 53-68 ("computer, or

equivalent," can be the server); col 2, L 2-5

-a product database including first data representing a product, including second data representing a

competing product, and including third data representing an association between said product and

said product and said competing product, said product database residing on a computer readable

medium of the server computer; and / abstract; fig 1(3),**2B(47,53,67)**,3(1.,2.),6(model, low price, avg.

price, list price),7(supplier, price, quantity); col 1, L 53-68; col 3, L 60 to col 4, L 2

-Dworkin teaches a product data base and first and second data/ col 2, L 6-41. Dworkin does not

explicitly teach a dynamic page file for generating and electronic store page, said dynamic page file

including instructions to use said second data as a query parameter to obtain said first data from said

product database, said first data included in said electronic store page, said electronic store page

transmitted via said network connection. However, Gregory teaches dynamic page file for generating

and electronic store page, said dynamic page file including instructions to use said second data as a

query parameter to obtain said first data from said product database, said first data included in said

electronic store page, said electronic store page transmitted via said network connection./ col 5, L 3-

21, 34-46; col 6, L 25-30, 39-60; col 8, L 26-53. It would have been obvious to one of ordinary skill in

the art at the time of applicant's invention to implement this feature of a dynamic page file for

generating and electronic store page, said dynamic page file including instructions to use said second

data as a query parameter to obtain said first data from said product database, said first data included

in said electronic store page, said electronic store page transmitted via said network connection for

the advantage of determining minimum cost or product options or sizes or warranties and product

comparison.

Claim 22 (new),

A method for obtaining information about a product using a competitor product hyperlink, the method

comprising:

Dworkin teaches associating competitor product identification information as a displayable component

of a competitor product hyperlink,/ col 2, L 6-33

However, Dworkin does not explicitly teach competitor product identification information displayable

on a computer screen to identify a first product. Gregory teaches product identification information by

disclosing the SKU(col 5, L 34-46). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a product identification information for the advantage of establishing a link for subsequent access to more, follow-up product or supplier information such as warranties or options or credit terms and inventory control.

Dworkin teaches information that describes a second product that corresponds to and competes with the first product the competitor product hyperlink / col 2, L 6-56 (price competition). However, Dworkin does not teach the product page file including associating a product page file identifier.

Official notice is taken that this feature of a product page file including associating a product page file identifier is old and well known in the e-commerce art and / or software art as a file extension acting as a file identifier. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a product page file including associating a product page file identifier as a parameter of the competitor product hyperlink for the advantage of establishing a link for subsequent access to more, follow-up product or supplier information such as warranties or options or credit terms.

-Dworkin teaches displaying the competitor product information on a computer screen/col 2, L 6-33, especially lines 21-31.

However, Dworkin does not explicitly teach the product *identification* information.

Gregory teaches product identification information by disclosing the SKU (col 5, L 34-46). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a product identification information for the advantage of establishing a link for subsequent access to more, follow-up product or supplier information such as warranties or options or credit terms.

-Dworkin teaches selecting at least a portion of the displayed competitor product information; and/ col 2, L 6-57, especially L 19-36. However, identification Dworkin does not explicitly teach the

product *identification* information selection.   Gregory teaches product identification information by

disclosing the selection of the SKU (col 5, L 34-46; col 6, L 55-63; col 8, L58-67). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature

of a product identification information for the advantage of establishing a link for subsequent access

to more, follow-up product or supplier information such as warranties or options or credit terms or to

edit product information.

-Dworkin teaches responding to the selection by issuing a request./ col 2, L 6-59. However, Dworkin

does not explicitly teach the product page file. Gregory teaches a product page file/ col 4, L 66 to col

5, L 21 and col 5, L 65 to col 6, L 30: "abstract" as the equivalent of a product page file. It would have

been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this

feature of a product page file for the advantage of establishing a data summary that can be updated

to reflect changing product attributes like price.

Claim 24 (new),

A method for obtaining information about a product using a competitor product hyperlink, the

method comprising:

Dworkin teaches associating competitor product identification information as a displayable component

of a competitor product hyperlink,/ col 2, L 6-33

However, Dworkin does not explicitly teach competitor product identification information displayable

on a computer screen to identify a first product. Gregory teaches product identification information by

disclosing the SKU(col 5, L 34-46). It would have been obvious to one of ordinary skill in the art at the

time of applicant's invention to implement this feature of a product identification information for the

advantage of establishing a link for subsequent access to more, follow-up product or supplier

information such as warranties or options or credit terms and inventory control.

Dworkin teaches information that describes a second product that corresponds to and competes with

the first product the competitor product hyperlink / col 2, L 6-59. However, Dworkin does not teach

the product page file including associating a product page file identifier. Official notice is taken that

this feature of a product page file including associating a product page file identifier

is old and well known in the e-commerce art and / or software art as a file extension acting as a file

identifier. It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to implement this feature of a product page file including associating a product page file

identifier as a parameter of the competitor product hyperlink for the advantage of establishing a link

for subsequent access to more, follow-up product or supplier information such as warranties or

options or credit terms.

-Dworkin teaches displaying the competitor product information on a computer screen/col 2, L 6-59,

especially lines 21-31.

However, Dworkin does not explicitly teach the product *identification* information.

Gregory teaches product identification information by disclosing the SKU (col 5, L 34-46). It would

have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement

this feature of a product identification information for the advantage of establishing a link for

subsequent access to more, follow-up product or supplier information such as warranties or options

or credit terms.

-Dworkin teaches selecting at least a portion of the displayed competitor product information;

and/ col 2, L 6-59, especially L 19-36. However, Dworkin does not explicitly teach the

product *identification* information selection. Gregory teaches product identification information by

disclosing the selection of the SKU (col 5, L 34-46; col 6, L 55-63; col 8, L58-67). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature

of a product identification information for the advantage of establishing a link for subsequent access

to more, follow-up product or supplier information such as warranties or options or credit terms or to

edit product information.

-Dworkin teaches automatically responding to request information about the second product. / col 25-

33, where the second **competing product and all competing products** relevant to the request are

listed simultaneously. However, Dworkin does not explicitly teach the selection using the product

identifier. Gregory teaches product identification information by disclosing the selection of the SKU

(fig 8(81), fig 10(103);col 5, L 34-46; col 6, L 55-63; col 8, L58-67). It would have been obvious to one

of ordinary skill in the art at the time of applicant's invention to implement this feature of a product

identification information for the advantage of establishing a link for subsequent access to more,

follow-up product or competitive supplier information such as warranties or options or credit terms.

6.   Claims 2-6, 8-10,12,13,16-21, 23 and 25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Dworkin (US 4,992,940).

Claim 2,

Dworkin teaches information identifying a manufacturer as a query parameter/ fig 2A

(23,25,27,29,35,37,40); fig 6 (1): **investigate product implies a query possibility**; fig 2B (47:

product,51: product); col 2, L 19-54; col 5, L 43-50(**screen display as a questionnaire**); col 7, L 10-

65; col 8, L 9-

20; fig 6, 8; col 1, L 13-28; col 8, L 9-20

        However, Dworkin fails to explicitly teach a second dynamic page file for generating a second

electronic store page, said dynamic page file including second instructions to used to obtain said

second data from said product database, said second data included in said second electronic store

page, said second dynamic page file stored on said computer readable medium.

 Official notice is taken that this feature of a second dynamic page file for generating a second

electronic store page, said dynamic page file including second instructions to used to obtain said

second data from said product database, said second data included in said second electronic store

page, said second dynamic page file stored on said computer readable medium is old and well known

in the e-commerce art and / or software art as using a spit screen consisting of two competing

product web sites (**Microsoft Dictionary, p. 445 or Buying Online for Dummies, p. 73-74**). It would

have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement

this feature of a second dynamic page file for generating a second electronic store page, said

dynamic page file including second instructions to used to obtain said second data from said product

database, said second data included in said second electronic store page, said second dynamic page

file stored on said computer readable medium for the advantage of product comparison.

Claim 3,

Dworkin teaches said product information server responds to a customer request / fig 3,4,6,7; col 8, L

9-20.

However, Dworkin fails to explicitly teach a second electronic store page by accessing said second

dynamic page file, by processing said second instructions, and by providing said second electronic

store page to said customer. Official notice is taken that this feature of a second electronic store

page by accessing said second dynamic page file, by processing said second instructions, and by

providing said second electronic store page to said customer is old and well known in

the e-commerce art and / or software art as using a spit screen consisting of two competing product

web sites (**Microsoft Dictionary, p. 445 or Buying Online for Dummies, p. 73-74**). It would have

been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this

feature of a second electronic store page by accessing said second

dynamic page file, by processing said second instructions, and by providing said second electronic

store page to said customer for the advantage of efficient product comparison.

Claim 4,

The system as described in Claim 1 further comprising:

-an electronic store page having a hyperlink responsive to a customer selection of said hyperlink to generate said request. / fig 2A(29,40), fig 2B(51,55,67,69), fig 3

Claim 5,

The system as described in Claim 4 further comprising:

-a customer browser which transmits said second data to said page server upon said selection of said hyperlink / fig 1, fig 2B (47-69)

Claim 6,

The system as described in Claim 5, wherein said product database includes product cost information related to said product, further comprising:

-Dworkin teaches competing cost information about said competing product, said customer browser transmitting said cost information to said page server; (abstract; fig 6,7; col 1, L 62 to col 2, L 51). Dworkin fails to teach a cost savings form on said electronic store page.

Official notice is taken that this feature of a cost savings form on said electronic store page is old and well known in the e-commerce art and / or retail art of sales with cost savings advertising of "beating all the competition by 10%." It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a cost savings form on said electronic store page for the advantage of convenience of summarizing the cost savings in advance of the consumer having to do so in order to make an informative decision based on cost.

-Dworkin teaches second instructions in said dynamic page file for comparing said competing cost information and said product cost information to (fig 6,7). However, Dworkin fails to teach the feature of calculating the cost savings information, said product information server providing said savings information to said customer.

Official notice is taken that this feature of calculating the cost savings information, said product

information server providing said savings information to said customer is old and well known in

the e-commerce art and / or retail art of sales with cost savings advertising of "beating all the

competition by 10%."   It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this

feature for the advantage of saving the consumer of having to actually do the cost saving calculations

himself and thus arriving at a faster buying decision.

-displaying with said customer browser information identifying a product, a portion of said displayed

information selectable to activate said corresponding product hyperlink; and / fig 2A(27,41),

2B(47,51,69),6,8; col 2, L 25-33

-responding to a selection of said portion by transmitting to said page server a request for said

corresponding product page file and by transmitting to said page server said product

identifier / fig 2A (25, 37), 2B (49-51),6; col 1, L 52-60; col 6, L 51-57

Claim 8,

The method as described in Claim 7, comprising the further steps of

-receiving with said page server said request for said corresponding product page file and said

identifier; / col 6, L 26-37; col 8, L 3-8

-processing instructions in said page file to use said identifier to obtain data representing a

corresponding product; and / col 7, L 43-49(internal identifier) col 8, L 9-20

-transmitting with said page server to a customer browser said data representing said corresponding

product. / fig 2A(27-43), 2B(47-49)

Claim 9,

The method as described in Claim 8, comprising the further steps of

- transmitting with said page server at least one manufacturer hyperlink to a customer browser, / fig 6,8; col 2, L 19-36; col 6, L 25-43.

-receiving with said customer browser said manufacturer hyperlink: / fig 6,8

-displaying with said customer browser second information identifying said manufacturer, a portion of said displayed second information selectable to activate said manufacturer hyperlink; and / fig 6,7,8; col 6, L 25-43;

-responding to a selection of said portion of said second information by transmitting to said page server a request for said manufacturer product list page file and by transmitting to said page server said manufacturer identifier / fig 2A(23-43), 2B(43-49),6,8

Dworkin does not explicitly teach said at least one manufacturer hyperlink operatively associated with a manufacturer identifier representing a manufacturer and operatively associated with a second page file identifier representing a manufacturer product list page file. Official notice is taken that this feature of at least one manufacturer hyperlink operatively associated with a manufacturer identifier representing a manufacturer and operatively associated with a second page file identifier representing a manufacturer product list page file is old and well known in the e-commerce art and / or software art by using a file extension for the second page file identifier to represent a manufacturer product list page file. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a page file identifier identifying a corresponding product page file, the corresponding product page file including a product identifier identifying the second product for the advantage of establishing a link for subsequent access to more, follow-up product or supplier information such as warranties or options or credit terms and comparison shopping.

Claim 10,

The method as described in Claim 9, comprising the further steps of:

Dworkin teaches receiving with said page server said request for said manufacturer product list page

file; / fig 2A(23-37),2B(41-49),6,8. However, Dworkin does not explicitly teach a manufacturer

identifier. Official notice is taken that this feature of a manufacturer identifier is old and well known in

the e-commerce art and / or software art by using a file extension to represent any identifier. It would

have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement

this feature of a manufacturer for the advantage of establishing a link for subsequent access to more,

follow-up product or supplier information such as warranties or options or credit terms and

comparison shopping.

-processing second instructions in said manufacturer product list page file to use said manufacturer

identifier to obtain data representing products of said manufacturer; and / fig 6,8; col 8, L 9-30

-transmitting with said page server to a customer browser said data representing said products of

said manufacturer. / abstract; fig 6,8; col 1, L 52-68; col 6, L 44-50; col 8, L 9-20

Claim 12,

The e-store dynamic page file as described in Claim 11 further comprising:

- Dworkin teaches accepting competing cost information related to the cost of said competing

products (col 1, L 62 to col 2, L 63). However, Dworkin fails to teach a cost savings form including at

least one text entry field for including a cost savings hyperlink, the cost savings hyperlink referencing

a corresponding product page file for transmitting information about a difference in cost between said

products and said competing products, the cost savings hyperlink including an identifier representing

a corresponding product and at least one cost identifier representing said competing cost information.

Official notice is taken that this feature of cost savings form including at least one text entry field for

including a cost savings hyperlink, the cost savings hyperlink referencing a corresponding product

page file for transmitting information about a difference in cost between said products and said

competing products, the cost savings hyperlink including an identifier representing a corresponding

product and at least one cost identifier representing said competing cost information.

is old and well known in the e-commerce art and / or retail art of sales with cost savings advertising of

"beating all the competition by 10%" and file extensions to create an identifier representing a

corresponding product and at least one cost identifier representing said competing cost information It

would have been obvious to one of ordinary skill in the art at the time of applicant's invention to

implement this feature on a website for the advantage of convenience summarizing the cost savings

in advance of the consumer having to do so in order to make an faster informative decision based on

cost.

Claim 13,

The e-store dynamic page file as described in Claim12 wherein said script components further

include:

Dworkin teaches records (fig 6,7). However, Dworkin does not teach form placement instructions for

generating said cost savings form. Official notice is taken that this feature of form placement

instructions for generating said cost savings form is old and well known in

the e-commerce art and / or retail art. It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this

feature of form placement instructions for generating said cost savings form on a website for the

advantage of summarizing the cost savings in advance of the consumer

having to do so in order to make an faster informative decision based on minimum cost.

Claim 16,

A method for retrieving information about a product using information about another product, said

method comprising:

-a step for storing information on a first set of products; / abstract; fig 1(3),3,4; col 1, L 62 to col 2, L 65

-a step for storing information on a second set of products; / abstract; fig 1(3),3,4; col 1, L 62 to col 2, L 65

-a step for storing an association between the first set of products and the second set of products said association representing product equivalency/ abstract; fig 1(3),3,4; col 1, L 63 to col 2, L 19; col 2, L 49-65

-a step for establishing communication between a client computer and a server computer; / fig 1; col 1, L 53-69 (computer equivalent in speed of server); col 4, L 3-12: server

-a step for transmitting a product identifier to the server computer, the product identifier representing a first product, the first product in the first set of products; and / col 2, L 19-41("internal number" or "identifier" for the product)

Dworkin teaches a second set of products./ fig 6,8; col 1, L 53-68(**"best available price" discloses competing products**); col 2, L 19-41("internal number" or "identifier" for products). However, Dworkin does not explicitly disclose step for receiving, in response to the step for transmitting, competing product information describing a second product, the second product in the second set of products. Official notice is taken that this feature of step for receiving, in response to the step for transmitting, competing product information describing a second product, the second product in the second set of products is old and well known in the e-commerce art and / or software art as implied in col 2, L 25-30, col 7, L 7-16, 37-40 where the user actually gets the second competitor and his prices without explicitly using an identifier and instead uses a file extension or a menu template as in col 2, L 8-11 again with the second product specifications. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of step for receiving, in response to the step for transmitting, competing product information describing a second product, the

second product in the second set of products for the advantage of simplicity in requesting product

information and tracking inventory.

Claim 17 (new),

Dworkin teaches a computer readable medium storing instructions which, when processed by a

computer, perform the method as described in Claim 7./ refer to reasoning under claim 7. However,

Dworkin does not teach a computer readable medium storing instructions. Official notice is taken that

this feature of computer readable medium storing instructions is old and well known in the e-

commerce art and / or retail art. It would have been obvious to one of ordinary skill in the art at the

time of applicant's invention to implement this feature of a computer readable medium storing

instructions for the advantage of advantage of portability of use in other computer systems.

Claim 18 (new),

Dworkin teaches the e store dynamic page file as described in

Claim 11./ refer to reasoning under claim 11. However, Dworkin does not teach a computer readable

medium storing the e-store dynamic page file. Official notice is taken that this feature of a computer

readable medium storing the e-store dynamic page file is old and well known in the e-commerce art

and / or retail art. It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to implement this feature of a computer readable medium storing the e-store

dynamic page file for the advantage of portability of use in other computer systems and backup files.

Claim 19 (new),

A competitor product hyperlink comprising:

a competitor product identification information displayable on a computer screen, the competitor

product identification information identifying a competing product;/ col 2, L 6-41.

Dworkin teaches information that describes a second product that corresponds to and competes with

the competing product; and/ col 2, L 6-41. However, Dworkin does not explicitly teach a page file

identifier identifying a corresponding product page file, the corresponding product page file including a

product identifier identifying the second product. Official notice is taken that this feature of a page file

identifier identifying a corresponding product page file, the corresponding product page file including a

product identifier identifying the second product is old and well known in the e-commerce art and / or

software art by using a file extension. It would have been obvious to one of ordinary skill in the art at

the time of applicant's invention to implement this feature of a page file identifier identifying a

corresponding product page file, the corresponding product page file including a product identifier

identifying the second product for the advantage of establishing a link for subsequent access to more,

follow-up product or supplier information such as warranties or options or credit terms.

Claim 20 (new),

Dworkin teaches a competitor product hyperlink as described in Claim 19./ refer to reasoning under

claim 19./ refer to reasoning under claim 19. However, Dworkin does not explicitly teach a computer

readable medium storage. Official notice is taken that this feature of a computer readable medium

storage is old and well known in the e-commerce art and / or retail art. It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to implement this

feature of a computer readable medium storage for the advantage of portability of use in

other computer systems and backup files.

Claim 21 (new),

Dworkin teaches accessing the competitor product hyperlink as described in Claim 19 and display

on a computer display the competitor product identification information./refer to reasoning under claim

19. However, Dworkin does not explicitly teach a computer readable medium storage. Official

notice is taken that this feature of a computer readable medium storage is old and well known in the

e-commerce art and / or retail art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a computer readable medium storage for the advantage of portability of use in other computer systems and as backup files.

Claim 23 (new),

Dworkin teaches processed by a computer, perform the method as described in Claim 22./ refer to reasoning under claim 22. However, Dworkin does not teach a computer readable medium storing instructions. Official notice is taken that this feature of a computer readable medium storing instructions is old and well known in the e-commerce art and / or retail art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a computer readable medium storing instructions for the advantage of portability of use in other computer systems.

Claim 25 (new),

Dworkin teaches processing by a computer to perform the method as described in Claim 24./ refer to reasoning under claim 24. However, Dworkin does not teach a computer readable medium storing instructions. Official notice is taken that this feature of a computer readable medium storing instructions is old and well known in the e-commerce art and / or retail art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a computer readable medium storing instructions for the advantage of portability of use in other computer systems and as a backup medium.

New art deemed pertinent but not cited is DiAngelo et al. (US 6,101,482) and the web site "Here's How Peapod Works".

This action is NON-FINAL. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose
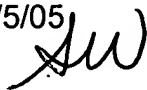
telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 5:30 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak

2/5/05

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600